

26-20-13 Medicaid fraud enforcement.

- (1) This chapter shall be enforced in accordance with this section.
- (2) The department is responsible for:
 - (a)
 - (i) investigating and prosecuting suspected civil violations of this chapter; or
 - (ii) referring suspected civil violations of this chapter to the attorney general for investigation and prosecution; and
 - (b) promptly referring suspected criminal violations of this chapter to the attorney general for criminal investigation and prosecution.
- (3) The attorney general has:
 - (a) concurrent jurisdiction with the department for investigating and prosecuting suspected civil violations of this chapter; and
 - (b) exclusive jurisdiction to investigate and prosecute all suspected criminal violations of this chapter.
- (4) The department and the attorney general share concurrent civil enforcement authority under this chapter and may enter into an interagency agreement regarding the investigation and prosecution of violations of this chapter in accordance with this section, the requirements of Title XIX of the federal Social Security Act, and applicable federal regulations.
- (5) Any violation of this chapter which comes to the attention of any state government officer or agency shall be reported to the attorney general or the department. All state government officers and agencies shall cooperate with and assist in any prosecution for violation of this chapter.

Amended by Chapter 48, 2007 General Session